



State of Wisconsin  
Jim Doyle, Governor

## Department of Agriculture, Trade and Consumer Protection

Rod Nilsestuen, Secretary

April 11, 2007

The Honorable Robert Wirth, Chair  
Committee on Small Business, Emergency Preparedness,  
Workforce Development, Technical Colleges and Consumer Protection

**Re: SB 79 relating to the sale and distribution of elastic yo-yos.**

Dear Senator Wirth:

Thank you for permitting the Department of Agriculture, Trade & Consumer Protection the opportunity to support SB 79.

We believe this bill is a vital step in protecting children from a harmful and potentially deadly yo-yo toy. Often referred to as a "yo-yo waterball" these toys are dangerous as they are not intended to be played with like old fashioned yo-yos.

The "yo-yo waterball" toy is comprised of a rubbery plastic cord which extends to over 2 feet and makes the toy difficult to control because the water ball (or weighted ball-like object) at the end of the toy is sufficiently heavy to generate significant momentum when swung like a lasso, which many children do. In addition some of the toys have instructions which tell children to "throw the ball into the air and try and catch it", thus encouraging the lasso like behavior.

While playing with these toys numerous children, including some in Wisconsin, have become unconscious after the cord wrapped tightly around the child's neck cutting off circulation. In other cases children have suffered broken blood vessels affecting eyes, eyelids, cheeks, neck, scalp or the area behind the ears.

To date Illinois, as well as the European Union, has already banned this toy from sale due to its dangerous nature. We urge the committee to move this bill forward to minimize the risk that Wisconsin children would be strangled to death by the use of this toy.

We thank the Committee for the opportunity to provide written comments in support of SB 79.

Respectfully,

  
Janet Jenkins, Administrator

Division of Trade & Consumer Protection

*Agriculture generates \$51.5 billion for Wisconsin*

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov



# **JULIE LASSA**

## **STATE SENATOR**

**Testimony on Senate Bill 79**  
**Committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges**  
**and Consumer Protection**  
**Wednesday, April 11<sup>th</sup>**  
**400SE**  
**10:00 am.**

Thank you for the opportunity to provide testimony today on Senate Bill 79.

Senate Bill 79 was drafted in response to an incident in my district when a 7-year old boy lost consciousness and fell head first to the ground after a yo-yo waterball wrapped around his neck and nearly strangled him. Unfortunately, this is not an isolated incident.

As of November 2nd, 2006, the Child Product Safety Commission has received 409 reported injuries related to this toy, 294 of those injuries were classified as suffocation/strangulation. There have been 7 incidents relating to the yo-yo waterball in Wisconsin.

There have been accounts of children suffering skull fractures from this toy, while others have required lens implant surgery because of severe eye trauma when the cord of the toy snapped back and hit them with such force that it shattered their eye lens. The yo-yo can cause injuries by wrapping tightly around the neck, by snapping back and hitting a child in the face causing serious injury to the eyes, by breaking and having the liquid inside of the yo-yo spill out and from the chemical/gas odor of the yo-yo waterball.

Illinois banned the sale of the yo-yo waterball in June, 2005. New Jersey and New York have also introduced legislation to ban the yo yo waterball, and legislation has also been introduced at the federal level. Countries such as France, the UK, Luxembourg, Australia, Brazil and Canada have also banned yo-yo waterballs while the Consumer Product Safety Commission has chosen not to ban the toy. In addition, some retailers have committed to remove or recommend removal of the toy from its shelves.

A toy capable of causing serious injury to an adult or that can be ruptured by the weak hands of a three year old, exposing the child to an irritating liquid, has no place on store shelves.

Thank you for your time and consideration of this issue. I would be happy to answer any questions that you may have.

# History of Senate Bill 79

## SENATE BILL 79

An Act to create 100.55 of the statutes; relating to: the sale and distribution of elastic yo-yos and providing a penalty.

2007

03-01. S. Introduced by Senator Lassa; cosponsored by Representatives Vruwink, Albers and Gronemus.

03-01. S. Read first time and referred to committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection ..... 120

[Search for another history](#)

**Legislation**

[Back to Legislation Page](#)



[Back to Legislature Home Page](#)

## 2007 SENATE BILL 79

March 1, 2007 – Introduced by Senator LASSA, cosponsored by Representatives VRUWINK, ALBERS and GRONEMUS. Referred to Committee on Small Business, Emergency Preparedness, Workforce Development, Technical Colleges and Consumer Protection.

1     **AN ACT to create** 100.55 of the statutes; **relating to:** the sale and distribution  
2     of elastic yo-yos and providing a penalty.

---

***Analysis by the Legislative Reference Bureau***

This bill prohibits the sale or distribution of an elastic yo-yo, defined in the bill as any toy known as a “yo-yo waterball” or any other similar toy consisting of a rubber-like object that is attached to an elastic cord.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

3     **SECTION 1.** 100.55 of the statutes is created to read:

4     **100.55 Sale and distribution of elastic yo-yos prohibited.** (1) In this  
5     section, “elastic yo-yo” means any toy known as a “yo-yo waterball” or any similar  
6     toy consisting of a rubber-like object that is attached to an elastic cord.

7     **(2)** No person may sell or distribute an elastic yo-yo to a person in this state.

**SENATE BILL 79**

1           (3) A person who violates sub. (2) may be fined not more than \$1,000. Each sale  
2           or distribution of an elastic yo-yo is a separate violation.

3 (END)

As I Got  
the Whole World  
in My Hands

COITC